

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHERINE BARNES, individually and on :
behalf of all others similarly situated, :

Plaintiff, :

v. :

BIG LOTS, INC., :

Defendant. :

ORDER

22 CV 9782 (VB)

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BIG LOTS STORES, LLC, (sued herein as Big :
Lots, Inc.), :

Third-Party Plaintiff, :

v. :

KAREWAY PRODUCT, INC., :

Third-Party Defendant. :

11/29/23

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As discussed at a conference held today and attended by counsel for plaintiff and for defendant/third-party plaintiff Big Lots¹, but at which third-party defendant Kareway Product, Inc. ("Kareway"), did not appear, it is HEREBY ORDERED:

1. By February 29, 2024, counsel for Big Lots shall submit a letter informing the Court whether the summons and third-party complaint have been served on Kareway and, if not, what efforts have been made and how much additional time is needed to serve Kareway.

2. Also by February 29, 2024, counsel shall submit a joint letter describing the good faith efforts counsel have taken, and will take, to discuss settlement of this matter, and whether there is anything the Court can do to assist in that regard (for example, by referring this case to a magistrate judge for a settlement conference or to the Court-annexed mediation program).

¹ Because the complaint sues Big Lots, Inc., but the third-party complaint, filed by defendant, identifies the proper entity for purposes of this action as Big Lots Stores, LLC, for simplicity, the Court will refer to the defendant/third-party plaintiff as Big Lots.

3. The next case management conference is scheduled for June 20, 2024, at 10:30 a.m., to proceed in person at the White Plains Courthouse, Courtroom 620.

Dated: November 29, 2023
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge